

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
                                )  
                                )  
v.                            )  
                                )  
ERIC E. RESTEINER,         )  
Defendant                    )  
                                )  
                                )

CRIMINAL NO. 04-10082-NG

JOINT MOTION TO EXCLUDE TIME

The parties jointly ask the Court to exclude the time from September 7, 2005, the date of the last pretrial conference before this Court, through October 19, 2005, the date of the next scheduled pretrial conference, under 18 U.S.C. § 3161(h)(8)(A), because the ends of justice served by allowing time for the defendant to further review the discovery material and to engage the government in plea discussions to determine if the case can be resolved short of a trial outweigh the defendant's and the public's interest in a speedy trial. A proposed order to exclude time is attached hereto.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By:

/s/ Diane C. Freniere  
Diane C. Freniere  
Assistant U.S. Attorney

/s/John A. Amabile  
John A. Amabile, Esquire  
Counsel for Defendant

Dated: September 8, 2005

